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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/761,604	01/16/2001	David Edward Caldwell	CO2-2	5820
40621	7590	03/08/2005	EXAMINER	
PASTEL LAW FIRM CHRISTOPHER R. PASTEL 8 PERRY LANE ITHACA, NY 14850-9267			KINDRED, ALFORD W	
			ART UNIT	PAPER NUMBER
			2163	

DATE MAILED: 03/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/761,604	SUNADA, MAKOTO	
	Examiner	Art Unit	
	Alford W. Kindred	2163	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 November 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,5-11,13 and 14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communication: Appeal Brief, filed on 11/20/04.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3, 5-11 and 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tavor, US# 2001/0032077 A1, in view of Hyman et al., US 2004/0138950 A1.

As per claims 1, 3 and 13-14, Tavor teaches "developing feature text snippets for each feature, the snippets being phrases to be used when describing . . . product features" (see abstract) "dynamically generated fluent text that is used to convey product analyses . . ." (see page 4, paragraphs [0051]-[0054]) "developing user profile text snippets . . . generic phrases . . ." (see page 4, paragraphs [0049]-[0052]). Tavor does not teach "user profile text snippets produces personalized recommendation for the product featuring dynamically generated fluent text . . . analysis and recommendation tailored to the user requirements and preferences." Hyman et al. teaches "user profile text snippets produces personalized recommendation for the product featuring dynamically generated fluent text . . . analysis and recommendation tailored to the user requirements and preferences" (see paragraphs [0058] and [0156])

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and [0162]). It would have been obvious at the time of the invention for one of ordinary skill in the art to have combined the teachings of Tavor and Hyman above, because using the steps of "user profile text snippets produces personalized recommendation for the product featuring dynamically generated fluent text . . . analysis and recommendation tailored to the user requirements and preferences", would have given those skilled in the art the tools to the ability to render information regarding products based on user's habits in a more efficient manner.

As per claims 5, this claim is rejected on grounds corresponding to the arguments given above for rejected claim 1 and is similarly rejected including the following:

--Tavor teaches "testing the user profile text snippets" (see 99page 5, paragraphs [0057]-[0059]).

As per claim 6, this claim is rejected on grounds corresponding to the arguments given above for rejected claim 1 and is similarly rejected including the following:

-- Tavor teaches "providing access to the product recommendation . . ." (see page 4, paragraphs [0058]-[0059]).

As per claim 7, this claim is rejected on grounds corresponding to the arguments given above for rejected claim 1 and is similarly rejected including the following:

--Tavor teaches "a computer network . . ." (see abstract).

As per claims 8-11, these claims are rejected on grounds corresponding to arguments given above for rejected claims 1-7 and are similarly rejected including the following:

--Tavor teaches "display and explanation of a comparison between several products" (see page 4, paragraphs [0050]-[0051]).

Response to Arguments

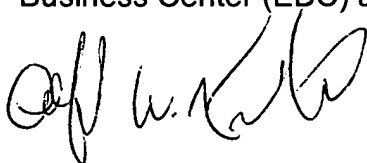
4. Applicant's arguments, in respect to claims 1, 3, and 5-14 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alford W. Kindred whose telephone number is 571-272-4037. The examiner can normally be reached on Mon-Fri 9:00 am- 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on (571) 272-4023. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Alford W. Kindred
Patent Examiner
Tech Ctr. 2100